

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

VS.

NO.: 3:21-CR-107-NBB-RP

JAMARR SMITH, et al.

MOTION FOR CONTINUANCE

COMES NOW, the Defendant, Jamarr Smith, by and through the undersigned counsel, and files this Motion for Continuance and in support of said motion, would state unto the Court as follows:

I.

This case is currently set for trial for June 6, 2022.

II.

On April 21, 2022, the counsel for the defendants had a meeting with counsel for the government wherein the government outlined its procedure and activities used to obtain a “geofence warrant” to identify suspects in the instant case.

III.

As the court is aware, geofence warrants “draw on tracking data collected by cell phones to find people who are close to a crime scene.” *Cellphone dragnet used to find bank robbery suspect was unconstitutional, Judge says*, NBC News, March 7, 2022. (Exhibit “A”). Geofence warrants are very new, and only one reported decision currently addresses the constitutionality (or lack thereof) of geofence warrants. *United States v. Chatrue*, 2022 WL 628905 (E.D. Va. March 3, 2022).

IV.

In light of the unique, and fairly recent, advent of geofence warrants, particularly in the

judicial system, the defendants are in need of additional time to prepare a defense to this warrant.

V.

The defendants have consulted with the government and have been advised that there is no objection to this motion.

WHEREFORE, PREMISES CONSIDERED, the defendant, Jamarr Smith, respectfully requests a continuance of the trial setting in this case.

DATED: April 28, 2022.

RESPECTFULLY SUBMITTED,

JAMARR SMITH

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GOODLOE T. LEWIS, MSB # 9889

CERTIFICATE OF SERVICE

I, GOODLOE T. LEWIS, attorney for JAMARR SMITH, do hereby certify that I have on this date electronically filed the foregoing document with the Clerk of Court using the ECF system which sent notification of such filing to all counsel of record, including:

Robert Mims
Office of the US Attorney
900 Jefferson Avenue
Oxford, MS 38655
rmims@usadoj.gov

DATED: April 28, 2022.

/s/ Goodloe T. Lewis
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